



LEGISLATIVE FISCAL OFFICE

Fiscal Note

Fiscal Note On: **HB 87** HLS 09RS 835

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> May 3, 2009	8:19 AM	<b>Author:</b> CARMODY
<b>Dept./Agy.:</b> Corrections		
<b>Subject:</b> Crime		<b>Analyst:</b> Kristy F. Gary

CRIME/SEX OFFENSES

OR INCREASE GF EX See Note

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Amends elements of the crime of indecent behavior with juveniles involving lewd or lascivious communications

The proposed legislation amends the elements of the crime of indecent behavior with juveniles by prohibiting the transmission delivery or utterance of any textual, visual, written, or oral communication depicting lewd or lascivious conduct, text, word, or images and retains all other elements regarding communications.

Proposed law deletes the existing definitions of "electronic textual and visual communication" and broadens the definition of "textual, visual, written, or oral communication" to include any communication of any kind, whether electronic or otherwise, made through the use of the U.S. mail, any private carrier, personal courier, computer online service, Internet service, local bulletin board service, Internet chat room, electronic mail, online messaging service, or personal delivery or contact.

EXPENDITURES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<b><u>\$0</u></b>
Annual Total	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

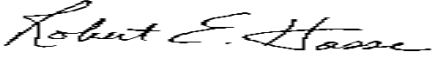
REVENUES	<u>2009-10</u>	<u>2010-11</u>	<u>2011-12</u>	<u>2012-13</u>	<u>2013-14</u>	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

EXPENDITURE EXPLANATION

Proposed legislation could result in an increase in state general fund expenditures. The exact fiscal impact of the passage of this legislation is indeterminable, as it is not possible to know how many people will be convicted of this crime by amending the elements to the crime. However, expenditures could increase by \$24.39 per day per offender sentenced to the custody of the Department of Public Safety and Corrections (assuming state inmates are housed at the local level).

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. However, any revenue generated through the imposition of fines created by this legislation would accrue to local governmental entities.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$500,000 Annual Fiscal Cost		<input type="checkbox"/> 6.8(F) >= \$500,000 Annual Fiscal Cost	<b>Robert E. Hosse</b>
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease	<b>LFO Staff Director</b>